

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

Applicants: Frederick E. Shelton IV et al. : Paper No:
Serial No. : Group Art Unit:
Filed: : Examiner:
For: SURGICAL STAPLING INSTRUMENT HAVING MULTISTROKE FIRING WITH
OPENING LOCKOUT

INFORMATION DISCLOSURE STATEMENT

Mail Stop PATENT APPLICATION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In accordance with 37 C.F.R. §§ 1.97 and 1.98, Applicants herewith submit certain patent references which the Patent and Trademark Office may wish to consider in examining the above-identified application. The references are provided below, and are also listed on the attached Form PTO-1449.

Pursuant to the waiver published in the Pre-OG Notice, dated July 11, 2003, no copies are provided herewith of U.S. patents cited. Copies of foreign patents and non-patent literature are provided herewith. No representation is made or intended that a prior art search has been made or that no better art than the listed is available. It is respectfully requested that the information be considered by the Examiner and made of record in the present application.

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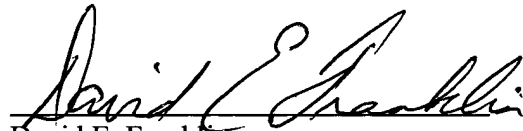
Matthew G. Burgan

Typed or Printed Name of Person Signing

Signature

Respectfully submitted,

Frederick E. Shelton IV et al.


David E. Franklin

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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT***(use as many sheets as necessary)***Complete if Known**

Application No.	
Filing Date	
First Named Inventor	SHELTON, Frederick E. IV et al.
Art Unit	
Examiner Name	
Attorney Docket No.	END5126-0517368

Sheet

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of

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U.S. PATENT DOCUMENTS

Examiner initials	Cite No.	DOCUMENT NUMBER		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind code ² (if known)				
		US-	448,194	03-17-1891	Balbin	
		US-	804,229	11-14-1905	Hutchinson	
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EXAMINER SIGNATURE _____ DATE CONSIDERED _____

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter office that issued the document, by the two-letter code (WIPO Standard ST. 3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Substitute for Form PTO 1449					
INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>			Complete if Known		
			Application No.		
			Filing Date		
			First Named Inventor		SHELTON, Frederick E. IV et al.
			Art Unit		
			Examiner Name		
Sheet	2	of	2	Attorney Docket No.	END5126-0517368

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	US-				

FOREIGN PATENT DOCUMENTS

Examiner initials	Cite No.	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind code ⁵ (if known)				
		EP 0 070 230 A1	07-06-1982	Tractel S.A.		Abstract
		WO 99/15086	04-01-1999	U.S. Surgical Corp.		

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS

Examiner initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T ⁶

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